IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Group Art Unit 3766

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In re

Patent Application of

Michael R.S. Hill

Application No. 10/629,491

Confirmation No.: 7444

Filed: July 29, 2003

Examiner: Kristen Droesch Mullen

"METHOD AND DEVICE FOR ELECTRICALLY CONTROLLING THE BEATING OF A HEART"

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

PURSUANT TO 37 CFR §1.97(c)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

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The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A and PTO/SB/08B. Copies of non-U.S. patent references are attached. This Statement is also being accompanied by a check in payment of the \$180.00 fee required under 37 CFR §1.17(p). Please charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the required fee.

Citation of these references is respectfully requested.

No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,

Rave L. Daughert Reg. No. 47,933

File No. 065071-9058 Michael Best & Friedrich LLP

100 East Wisconsin Avenue, Suite 3300 Milwaukee, Wisconsin 53202-4108

414.271.6560

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Substitute for form 1449/PTO		Com	plete if Known		
INFORMATION DISCLOSURE OCT 1	.]	Application Number	10/629,491		
INTORNATION DISCLOSURE OCT 1	0 2006	Filing Date	July 29, 2003		
STATEMENT BY APPLICANT	2000	Eirst named Inventor	Michael R.S. Hill		
\ <u>\d</u>		roup Art Unit	3766		
(use as many sheets as necessary)		Examiner name	Kristen Droesch Mullen		
Sheet 1 of 13	EN IN	Attorney Docket Number	065071-9058-00		
U.S. Patent Documents					

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	3,614,995	Probert, et al.	10/26/1971
	3,804,098	Friedman	4/16/1974
	3,937,226	Funke	2/10/1976
·	4,088,138	Diack, et al.	5/9/1978
}	4,088,140	Fritsche	2/15/1977
	4,198,963	Barkalow, et al.	4/22/1979
	4,161,952	Kinney, et al.	7/24/1979
•	4,176,660	Mylrea, et al.	12/4/1979
	4,303,075	Heilman et al.	12/1/1981
	4,304,239	Perlin	12/8/1981
	4,321,929	Lemelson et al.	3/30/1982
	4,332,259	McCorkle, Jr.	6/1/1982
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	4,354,497	Kahn	10/19/1982
	4,458,677	McCorkle, Jr.	7/10/1984
	 4,548,203	Tacker, Jr. et al.	10/22/1985
	4,574,807	Hewson et al.	3/11/1986
	4,603,705	Speicher, et al.	8/5/1986

Examiner	Date	
Signature	Considered	

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Substitute for form 1449/PTO	3		Complete if Known
INFORMATION DISCLOSUR 1 0 2006	-	Application Number	10/629,491
INFORMATION DISCLOSURE 1 2 2000	w/	Filing Date	July 29, 2003
STATEMENT BY APPLICANT	25/	First named Inventor	Michael R.S. Hill
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Sheet 2of 13		Attorney Docket Number	065071-9058-00

		U.S. Patent Documents	T
Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	4,640,298	Pless et al.	2/3/1987
	4,671,295	Abrams et al.	6/9/1987
	4,715,367	Crossley	12/29/1987
	4,722,347	Abrams, et al.	2/2/1988
4	4,753,244	Landymore et al.	6/28/1988
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	5,003,991	Takayama, et al.	4/2/1991
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	5,024,228	Goldstone et al.	6/18/1991
	5,025,807	Zabara	6/25/1991
	5,036,848	Hewson	8/6/1991
	5,044,367	Endres et al.	9/31/1991

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INFORMATION DISCI	OSTIDBOT -	Application Number	10/629,491
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STATEMENT BY APP	LICATAT	First named Inventor	Michael R.S. Hill
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Sheet 3 of 13		Attorney Docket Number	065071-9058-00

		U.S. Fatent Documents	
Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	5,050,600	Parks	9/24/1991
	5,052,390	Hewson	10/1/1991
	5,056,519	Vince	10/15/1991
	5,056,532	Hull et al.	10/15/1991
	5,117,822	Laghi	6/2/1992
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	5,127,407	Tan	7/7/1992
	5,129,392	Bardy et al.	7/14/1992
	5,154,172	Terry, Jr., et al.	10/13/1992
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	5,186,170	Varrichio et al.	2/16/1993
	5,188,104	Wernicke et al.	2/23/1993

Examiner	Date	
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	INCODMATION DISCLOSIDE		Application Nun	nber	10/629,491
	INFORMATION DISCLOSURE		Filing Date		July 29, 2003
	STATEMENT BY APPLICANT		First named Inv	entor	Michael R.S. Hill
			Group Art Unit		3766
	(use as many sheets as necessary)		Examiner name		Kristen Droesch Mullen
	Sheet 4of 13		Attorney Docket	Number	065071-9058-00
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		U.S. Patent	t Documents		T
Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document		Date of Publication of Cited Document	
	5,199,428	Obel et	t al.		4/6/1993
	5,203,326	Collins	3		4/20/1993
	5,205,285	Baker,	Jr.		4/27/1993
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	5,231,988	Wernic	cke et al.		8/3/1993
	5,235,980	Varrichio et al.		8/17/1993	
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	5,263,480	Wernicke et al.		12/14/1993	
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	5,267,560	Cohen			12/7/1993
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	5,284,146	Czar et	t al.		2/8/1994
	5,292,338	Bardy			3/8/1994
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	5,304,120	Crande	ell et al.		4/19/1994
	5,304,206	Baker,	Jr. et al.		4/19/1994
Examiner Signature				Date Considered	

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Substitute for fo	orm 1449/PTO		Complete if Known	
INFORMATION DICOLOGUE			Application Number	10/629,491
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Filing Date	July 29, 2003
			First named Inventor	Michael R.S. Hill
			Group Art Unit	3766
	(use as many sheets as necessary)		Examiner name	Kristen Droesch Mullen
Sheet 5 of 13			Attorney Docket Number	065071-9058-00
		U.S. Paten	t Documents	
Examiner Initials	U.S. Patent Document Number		ne of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	5,304,220	Magin	ot	4/19/1994
	5,330,507	Schwartz		7/19/1994
	5,330,515	Rutecki et al.		7/19/1994
	5,334,221	Bardy		8/2/1994
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	5,365,926	Desai		11/22/1994
	5,379,765	Kajiwa	ara et al.	1/10/1995
	5,403,356	Hill et	al.	4/4/1995
	5,411,529	Hudrli	k	5/2/1995
	5,417,713	Cohen		5/23/1995
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Wieinberg, et al.

Holsheimer et al.

Plicchi et al.

Hill et al.

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	STATEMENT BY APPLICANT		First named Inv		Michael R.S. Hill		
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	(use as many sheets as necessary)		Examiner name		Kristen Droesch Mullen		
	Sheet 6of 13		Attorney Docket	Number	065071-9058-00		
		U.S. Patent	Documents				
	U.S. Patent Document Number	Nam	e of Patentee or A	Applicant of Cited	Date of Publication of Cited		
Examiner Initials			Docum		Document		
	5,514,161	Limous	sin		5/7/1996		
	5,531,776	Ward e	et al.		7/2/1996		
	5,540,730	Тепту, .	Jr.		7/30/1996		
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	5,549,655	Erickso	on		8/27/1996		
	5,571,150	Wernic	eke et al.		11/5/1996		
	5,578,061	Stroetn	nann et al.		11/26/1996		
	5,584,867	Limous	sin, et al.		12/17/1996		
·	5,611,350	John			3/18/1997		
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	5,656,420	Chien			8/12/1997		
	5,662,689	Elsberr	y, et al.		9/2/1997		
	5,668,117	Shapiro	0		9/16/1997		
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	5,674,259	Gray	Gray		10/7/1997		
	5,700,282	Zabara			12/23/1997		
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Examiner Signature				Date Considered			

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Substitute for form 1449/PTO			Complete if Known			
INFORMATION DISCLOSURE			Application Nun	nber	10/629,491	
			Filing Date		July 29, 2003	
STATEMENT BY APPLICANT			First named Inve	entor	Michael R.S. Hill	
			Group Art Unit		3766	
	(use as many sheets as necessary)		Examiner name		Kristen Droesch Mullen	
	Sheet 7of 13		Attorney Docket	Number	065071-9058-00	
		U.S. Paten	t Documents			
Examiner Initials	U.S. Patent Document Number	Nan	ne of Patentee or A		Date of Publication of Cited Document	
	5,713,924	Min et	t al.		2/3/1998	
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	5,720,768	Verbo	ven-Nelissen		2/24/1998	
	5,755,682	Knuds	son, et al.		5/26/1998	
	5,782,874	Loos			7/21/1998	
	5,791,187	Chang	· · · · · · · · · · · · · · · · · · ·		8/11/1998	
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	5,799,661	Boyd,	et al.		9/1/1998	
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	5,846,263	Peters	on et al.		12/8/1998	
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	5,874,420				2/23/1999	
	5,889,033	Kamir	ıski		3/30/1999	
	5,893,881	Elsber	ту et al.		4/13/1999	
Examiner Signature				Date Considered		

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INFORMATION DISCLOSURE			Application Number		10/629,491	
			Filing Date		July 29, 2003	
	STATEMENT BY APPLICANT		First named Inventor	•	Michael R.S. Hill	
			Group Art Unit	·	3766	
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	Sheet 8of 13		Attorney Docket Num	ber	065071-9058-00	
		U.S. Paten	t Documents			
Examiner Initials	U.S. Patent Document Number	Nam	ne of Patentee or Appli Document	cant of Cited	Date of Publication of Cited Document	
	5,893,882	Peterso	on et al.	•	4/13/1999	
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	5,995,872	Bourge	eois		11/30/1999	
	5,998,386	Feldm	an		12/7/1999	
	6,006,134	Hill et	al.		12/21/1999	
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	6,014,588	Fitz			1/11/2000	
	6,042,538	Puskas	3		3/28/2000	
	6,043,273	Duhay	longsod		3/28/2000	
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	6,073,048	Kieval	l, et al.		6/6/2000	
	6,087,394	Duhay	longsod		7/11/2000	
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Substitute for form 1449/PTO				Complete	e if Known
	THEODAY MYON DYCOL OCUPY		Application Number	•	10/629,491
	INFORMATION DISCLOSURE		Filing Date		July 29, 2003
	STATEMENT BY APPLICANT		First named Invento	·	Michael R.S. Hill
			Group Art Unit		3766
			Examiner name		Kristen Droesch Mullen
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	Sheet 9of 13		Attorney Docket Nun	nber	065071-9058-00
		U.S. Patent	t Documents		
Examiner Initials	U.S. Patent Document Number	Nam	ne of Patentee or App Document	licant of Cited	Date of Publication of Cited Document
	6,091,988	Warma	an et al.		7/18/2000
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	6,381,499	Taylor	et al.		4/30/2002
	6,414,018	Duhay	longsod		7/2/2002
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	INFORMATION DISCLOSURE		Filing Date		July 29, 2003	
STATEMENT BY APPLICANT			First named Inven	itor	Michael R.S. Hill	
			Group Art Unit		3766	
	(use as many sheets as necessary)		Examiner name		Kristen Droesch Mullen	
	Sheet 10of 13		Attorney Docket N	umber	065071-9058-00	
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		U.S. Paten	t Documents			
Examiner Initials	U.S. Patent Document Number	Nan	ne of Patentee or Ap Documer		Date of Publication of Cited Document	
	6,429,217	Puskas	3		8/6/2002	
	6,442,429	Hill et	al.		8/27/2002	
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	6,572,895	Smith	et al.		6/3/2003	
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	6,622,047	Barret	t et al.		9/16/2003	
	6,628,987	Hill et	al.		9/30/2003	
Examiner Signature				Date Considered		

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Substitute for	Substitute for form 1449/PTO		Complete if Known		
INDODMATION DISCLOSUDE			Application Number	10/629,491	
INFORMATION DISCLOSURE			Filing Date	July 29, 2003	
	STATEMENT BY APPLICANT		First named Inventor	Michael R.S. Hill	
			Group Art Unit	3766	
	(use as many sheets as necessary)		Examiner name	Kristen Droesch Mullen	
	Sheet 11of 13		Attorney Docket Number	065071-9058-00	
		U.S. Paten	t Documents		
Examiner Initials	U.S. Patent Document Number		ne of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	
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Hill et al.

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		DRMATION DISCLOSU			Filing Date			July 29, 2003		
	STA	TEMENT BY APPLICA	NT		First named Inv	entor	Michael R	.S. Hill		
(use as many sheets as necessary) Sheet 12of 13					Group Art Unit	<u> </u>	3766			
					Examiner name		Kristen Dr	oesch Mullen		
					Attorney Docket	Number	065071-90	58-00		
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Examiner Initials		U.S. Patent Document Number			e of Patentee or A Docum	Applicant of Cited ent	Date	of Publication of Document	of Cited	
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	INTE	DMATION DISCLO	SIDE	Application	Number	10/629,49	1	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date		July 29, 2003		
				First name	d Inventor	Michael F		
				Group Art U	Jnit	3766		
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Sheet 13of 13				Attorney Do	ocket Number	065071-9	058-00	
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				Application Number	10/629,491	
INFOR	MATION	N DISCL	OSURE	Filing Date	July 29, 2003	
STATE	EMENT E	BY APPL	ICANT	First Named Inventor	Michael R.S. Hill	
				Group Art Unit	3766	
(use as many sheets as necessary))	Examiner Name	Kristen Droesch Mullen	
Sheet	1	of	10	Attorney Docket Number	065071-9058-00	***************************************

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
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STATEMENT BY APPLICANT				First Named Inventor	Michael R.S. Hill		
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INFOR	MATION	N DISCL	OSURE	Filing Date	July 29, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Michael R.S. Hill	
~				Group Art Unit	3766	
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Sheet	3	of	10	Attorney Docket Number	065071-9058-00	

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Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
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INFOR	MATION	N DISCL	OSURE	Filing Date	July 29, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Michael R.S. Hill	
~ 11111				Group Art Unit	3766	
	(use as many she	ets as necessary))	Examiner Name	Kristen Droesch Mullen	
Sheet	4	of	10	Attorney Docket Number	065071-9058-00	

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Substitute for form 1447B/FTO				Application Number	10/629,491	
INFOR	MATION	N DISCL	OSURE	Filing Date	July 29, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Michael R.S. Hill	
~ ~ ~ ~ ~				Group Art Unit	3766	
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STATEMENT BY APPLICANT				First Named Inventor	Michael R.S. Hill	
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Examiner	Date
Signature	Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449B/PTO					Complete if Known	
				Application Number	10/629,491	
INFOR	RMATION	N DISCL	OSURE	Filing Date	July 29, 2003	
STAT	EMENT B	BY APPL	ICANT	First Named Inventor	Michael R.S. Hill	
				Group Art Unit	3766	
(use as many sheets as necessary)				Examiner Name	Kristen Droesch Mullen	
Sheet	9	of	10	Attorney Docket Number	065071-9058-00	

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
	THOMPSON, G.W., et al., "Bradycardia Induced by Intravascular Versus Direct Stimulation of the Vagus Nerve," Ann. Thorac. Surg., 1998; 65:637-42.
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Examiner	Date	-
Signature	Considered	╛

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Substitute for form 1449B/PTO				Complete if Known		
Substitute for form 1447B/110				Application Number	10/629,491	
INFORMATION DISCLOSURE				Filing Date	July 29, 2003	
STATEMENT BY APPLICANT (use as many sheets as necessary)				First Named Inventor	Michael R.S. Hill	
				Group Art Unit	3766	
				Examiner Name	Kristen Droesch Mullen	
Sheet	10	of	10	Attorney Docket Number	065071-9058-00	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.					
	YOKOYAMA, T., et al., "Tumor Necrosis Factor –α Provokes a Hypertrophic Growth Response in Adult Cardiac Myocytes," Circulation, Vol. 95, pp. 1247-1252, 1997.					

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